

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
BOSTON DIVISION**

Musket Research Associates, Inc.,  
Plaintiff,

v.

Ovion, Inc.,  
William S. Tremulis, and  
Jeffrey P. Callister,

Defendants.

**Case No. 05-10416 MEL**

Ovion, Inc.,

Counterclaimant,

v.

Musket Research Associates, Inc.,  
David B. Musket, and  
Sue Ann Latterman,

Counterdefendants.

**MOTION FOR IMPOUNDMENT PURSUANT TO LOCAL RULE 7.2**

Pursuant to Local Rule 7.2, Defendants respectfully move the Court to impound the following documents:

- (1) [Unredacted] Defendants' Reply Memorandum in Support of Motion for Summary Judgment
- (2) [Unredacted] Affidavit of Jeffrey P. Callister
- (3) Affidavit of James Call
- (4) Affidavit of Keith B. Isaacson

Redacted copies of items (1) and (2) have been filed electronically.

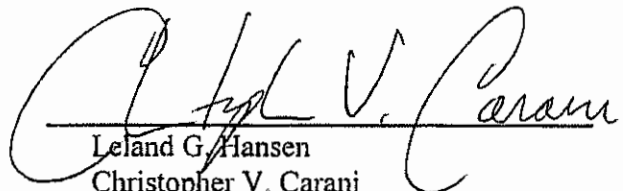
Defendants move for impoundment of these documents because the documents contain confidential, proprietary or otherwise sensitive business information and information that Defendant

Ovion, Inc. is contractually bound to not publicly disclose, but is essential to Defendants' Reply Memorandum in Support of Motion for Summary Judgment. Furthermore, the Court has ordered that Defendants' "communications with AMS and information provided by Defendants or on Defendants' behalf to AMS on or before February 17, 2005" be designated and treated as Outside Counsel Eyes Only. (Docket No. 53, Order, 2/7/06.)

Defendants request that the document to be impounded until further order from the Court. (L.R. 7.2(a)). As for post-impoundment custody, Defendants will make arrangements to retrieve the materials upon the expiration of the impoundment order. (L.R. 7.2(c)).

Date: March 3, 2006

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christopher V. Carani", is written over a horizontal line.

Leland G. Hansen  
Christopher V. Carani  
McANDREWS, HELD & MALLOY, LTD.  
500 W. Madison Street, 34th Floor  
Chicago, Illinois 60661  
(312) 775-8000 (telephone)  
(312) 775-8100 (facsimile)

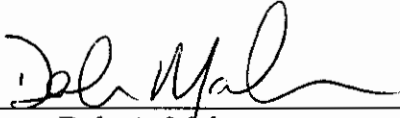
Dale A. Malone (BBO #552376)  
BANNER & WITCOFF, LTD.  
28 State Street, 28<sup>th</sup> Floor  
Boston, Massachusetts 02109  
Telephone: (617) 720-9600  
Facsimile: (617) 720-9601

*Attorneys for Defendant and Counterclaimant Ovion, Inc  
and Defendants William S. Tremulis and Jeffrey P.  
Callister*

Certificate of Service

The undersigned counsel of record hereby certifies that a copy of the foregoing document was served on opposing counsel by electronic delivery on March 4, 2006.

March 6, 2006

  
\_\_\_\_\_  
Dale A. Malone